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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/904,568	07/16/2001	Johanne Tremblay	04780.00001

CONFIRMATION NO. 3854

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

FORMALITIES LETTER



OC00000007237223

Date Mailed: 12/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/01/2002 BABRAHAI 00000012 190733 09904568

FILED UNDER 37 CFR 1.53(b)

01 FCB201 370.00 CH
02 FCB205 65.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$54.
 - \$54 for 3 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 894.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application does not contain a statement that the content of the sequence listing information recorded

04/08/2002 YGIZAW 00000008 190733 09904568

01 FCB203 27.00 CH

in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Johanne TREMBLAY, et al) Group Art Unit: 1635
Serial No.: 09/904,568) Examiner: TBA
Filed: July 16, 2001) Atty. Docket: 004780.00001
For: HCaRG, A Novel Calcium-)
Regulated Gene Coding for a)
Nuclear Protein)

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the U.S. Patent and Trademark Office "Notice To File Missing Parts Of Nonprovisional Application" mailed December 28, 2001, a copy of which is attached, applicants are hereby submitting the executed declaration for filing in the subject application. Accordingly, it is respectfully requested that a filing date of July 16, 2001, be granted to this application which is the filing date the original specification and drawings were filed with the Patent and Trademark Office.

Applicants claim small entity status. The Commissioner is authorized to charge \$462.00 to cover the following to Deposit Account No. 19-0733:

\$370.00 – Basic filing fee;

\$ 65.00 – Surcharge for late Declaration; and,

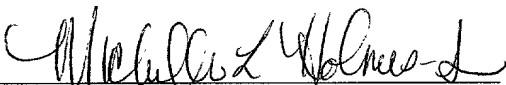
\$ 27.00 - 3 claims in excess of 20



Serial No. 09/904,568
Attorney Docket No.: 004780.00001

In the event any variance exists between the amount authorized and the Patent Office charges, please charge any difference to Deposit Account 19-0733.

Respectfully submitted,

By: 
Michelle L. Holmes-Son
Registration No. 47,660

BANNER & WITCOFF, LTD.
1001 G Street, N.W. – 11th Floor
Washington, D.C. 20001
Telephone: 202/508-9100

Dated: March 28, 2002

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/904,568
Filing Date	July 16, 2001
First Named Inventor	Johanne TREMBLAY, et al
Group Art Unit	1635
Examiner Name	TBA
Total Number of Pages in This Submission	Attorney Docket Number
	004780.00001

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Joint Declaration Recordation Sheet Assignment Sequence Listing Statement Copy of Notice to File Missing Parts
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michelle L. Holmes-Son, Reg. No. 47,660
Signature	
Date	March 28, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name		
Signature		Date

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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**FEES TRANSMITTAL
for FY 2002**

MAR 28 2002

Patent fees are subject to annual revision

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 557)**Complete if Known**

Application Number	09/904,568
Filing Date	July 16, 2001
First Named Inventor	Johanne TREMBLAY, et al.
Examiner Name	TBA
Group / Art Unit	1635
Attorney Docket No	004780 00001

METHOD OF PAYMENT (check all that apply)
 Check Credit card Money Other None
Order
 Deposit Account

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, Ltd

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
SUBTOTAL (1)			(\$ 370)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
23	2	-20 **	= 3	X 9 = 27	
		-3 **	= 0	X = 0	
				X = 0	

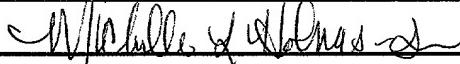
Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	** Reissue independent claims over original patent
110	18	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 27)

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	400	216	200
117	920	217	460
118	1,440	218	720
128	1,960	228	980
119	320	219	160
120	320	220	160
121	280	221	140
138	1,510	138	1,510
140	110	240	55
141	1,280	241	640
142	1,280	242	640
143	460	243	230
144	620	244	310
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
Other fee (specify) _____			40 00
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$ 160)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Michelle L. Holmes-Son	Registration No. Attorney/Agent)	47,660	Telephone	(202) 508-9220
Signature				Date	March 28, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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